



Docket No.: 5998-0506PUS3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Bradford Van Wagenen et al.

Application No.: 10/699,563

Confirmation No.: 1604

Filed: November 3, 2003

Art Unit: 1625

For: HETEROPOLYCYCLIC COMPOUNDS AND
THEIR USE AS METABOTROPIC
GLUTAMATE RECEPTOR ANTAGONISTS

Examiner: Z. N. Davis

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned is attorney of record for the assignee of the above-identified application. NPS PHARMACEUTICALS certifies that it is the owner of 100% interest in the above identified patent application, as evidenced by the attached assignment, said assignment having been recorded in the U.S. Patent and Trademark Office on April 4, 2002 at Reel 012758, Frame 0798.

08/30/2005 JADD01 00000064 10699563

02 FC:1814

130.00 DP

The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No.6,660,753. The owner hereby agrees that any patent that is granted on the above-identified application shall be enforceable

only for and during such period that it and the above listed patent are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assignees.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminate prior to the expiration of its full statutory term.

Our check in the amount of \$130.00 covering the fee set forth in 37 CFR 1.20(d) is enclosed. If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to our Deposit Account No. 02-2448 for

Application No.: 10/699,563

Docket No.: 5998-0506PUS3

any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Dated: August 29, 2005

Respectfully submitted,

By 

Andrew D. Meikle

Registration No.: 32,868

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Rd

Suite 100 East

P.O. Box 747

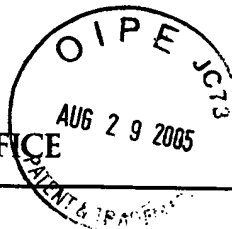
Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant



UNITED STATES
PATENT AND
TRADEMARK OFFICE



JUNE 04, 2002

PTAS

Commissioner for Trademarks
Arlington, VA 22202-3513
www.uspto.gov

FOLEY & LARDNER
STEPHEN A. BENT
WASHINGTON HARBOUR
3000 K STREET, N.W., SUITE 500
WASHINGTON, D.C. 20007-5143



102049037A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 04/04/2002

REEL/FRAME: 012758/0798
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

VAN WAGENEN, BRADFORD C.

DOC DATE: 03/08/2002

ASSIGNOR:

STORMANN, THOMAS M.

DOC DATE: 03/08/2002

ASSIGNOR:

MOE, SCOTT T.

DOC DATE: 03/26/2002

ASSIGNOR:

SHEEHAN, SUSAN M.

DOC DATE: 03/14/2002

ASSIGNOR:

MCLEOD, DONALD A.

DOC DATE: 03/27/2002

ASSIGNOR:

SMITH, DARY L.

DOC DATE: 03/12/2002

ASSIGNOR:

ISAAC, METHVIN B.

DOC DATE: 03/05/2002

012758/0798 PAGE 2

ASSIGNOR:
SLASSI, ABDELMALIK

DOC DATE: 03/05/2002

ASSIGNEE:
NPS PHARMACEUTICALS, INC.
420 CHIPETA WAY
SALT LAKE CITY, UTAH 84108-1256

SERIAL NUMBER: 10076618
PATENT NUMBER:

FILING DATE: 02/19/2002
ISSUE DATE:

DOROTHY RILEY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

NPS PHARMACEUTICALS, INC.
420 Chipeta Way
Salt Lake City, Utah 84108-1256

its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries in and to the invention in

HETEROPOLYCYCLIC COMPOUNDS AND THEIR USE AS METABOTROPIC GLUTAMATE RECEPTOR ANTAGONISTS


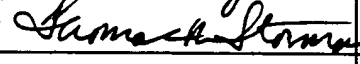
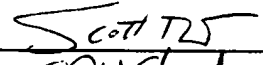
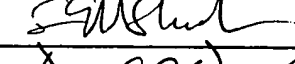
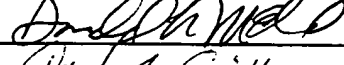

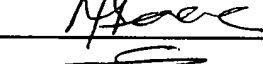
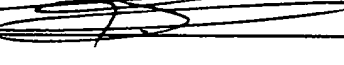
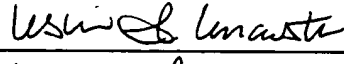

as set forth in this United States Patent Application

- ☐ executed concurrently herewith
- ☐ executed on _____
- ☒ Serial No. _____ filed February 19, 2002

said application for United States Letters Patent, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions or upon said applications and every priority right that is or may be predicated upon or arise from said inventions, said applications, and said Letters Patent; said Assignee being hereby authorized to file patent applications in any or all countries on any or all said inventions in the name of the undersigned or in the name of said Assignee or otherwise as said Assignee may deem advisable, under the International Convention or otherwise; the Commissioner of Patents and Trademarks of the United States of America being hereby authorized to issue or transfer all said Letters Patent to said Assignee in accordance herewith; this assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right theretofore given, and that the undersigned will do all acts reasonably serving to ensure that the said inventions, patent applications and Letters Patent shall be held and enjoyed by said Assignee as fully and entirely as the same could have been held and enjoyed by the undersigned if this assignment had not been made, and particularly to execute and deliver to said Assignee all lawful documents including petitions, specifications, oaths, assignments, invention disclaimers, and lawful affidavits in form and substance which may be requested by said Assignee, to furnish said Assignee with all facts relating to said inventions or the history thereof and any and all documents, photographs, models, samples or other physical exhibits which may be of said inventions, and to testify in any proceedings relating to said inventions, patent applications and Letters Patent.

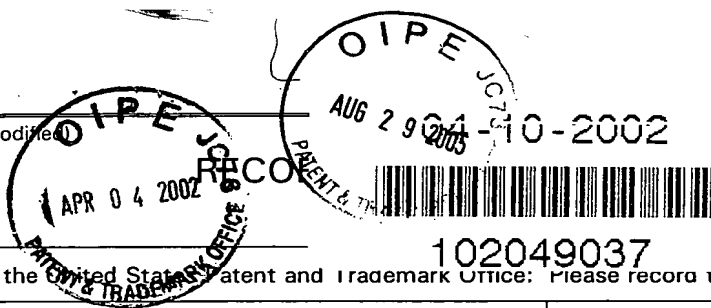
ASSIGNMENT - WORLDWIDE
Attorney Docket No. 085747/0207

The undersigned hereby grant the firm of **FOLEY & LARDNER** the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAMES AND SIGNATURES OF INVENTORS		
Name: Bradford C. Van Wagenen	Signature: 	Date: March 8, 2002
Name: Thomas M. Stormann	Signature: 	Date: March 8, 2002
Name: Scott T. Moe	Signature: 	Date: 3-26-02
Name: Susan M. Sheehan	Signature: 	Date: March 14, 2002
Name: Donald A. McLeod	Signature: 	Date: 27 March 2002
Name: Daryl L. Smith	Signature: 	Date: 12 March 2002
Name: Methvin B. Isaac	Signature: 	Date: 5th March 2002
Name: Abdelmalik Slassi	Signature: 	Date: March 08/2002
Name:	Signature:	Date:
Name:	Signature:	Date:
NAMES AND SIGNATURES OF WITNESSES		
Name: Leslie S. Lancaster	Signature: 	Date: 8 March 2002
Name: Leslie S. Lancaster	Signature: 	Date: 27 March 2002

Note: Prima facie evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.

IPT-407:4/90(1)(modified)



EET

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copies thereof.

1. Name of conveying party(ies):

Bradford C. Van Wagenen (March 8, 2002)
Thomas M. Stormann (March 8, 2002)
Scott T. Moe (March 26, 2002)
Susan M. Sheehan (March 14, 2002)
Donald A. McLeod (March 27, 2002)
Daryl L. Smith (March 12, 2002)
Methvin B. Isaac (March 5, 2000)
Abdelmalik Slassi (March 5, 2002)

Additional conveying party(ies)

NO

3. Nature of conveyance:

ASSIGNMENT

Execution Date:

See Above

2. Name and address of receiving party(ies):

NPS PHARMACEUTICALS, INC.
420 Chipeta Way
Salt Lake City, Utah 84108-1256

Additional name(s) & address(es)
attached?

NO

4. Application number(s) or patent number(s):

If this is being filed together with a new application, the execution date of the application is:

A. Patent Application Number(s):

10/076,618

B. Patent Number(s):

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Stephen A. Bent
FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143

6. Total number of applications/patents involved:

1

7. Total fee (37 C.F.R. § 3.41): \$40.00

☒ Check Enclosed

Charge to deposit account

8. Deposit account number:

19-0741

DO NOT USE THIS SPACE

9. Statement and signature:

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. The Commissioner is hereby authorized to charge any additional recordation fees which may be required in this matter to the above-identified deposit account.

Stephen A. Bent

Name of person signing

Signature

April 4, 2002

Date

Total number of pages including cover sheet, attachments, and document: 3

04/04/2002 00000044 10076618

01 FC1501

40.00 UP